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DOC #:  
DATE FILED: 10-12-11

At a Special Term Part \_\_\_\_ of the Supreme Court of the State of New York, County of New York, at the Courthouse located at 60 Centre Street, New York, New York on the \_\_\_\_ day of October, 2011.

*United States District Court*  
PRESENT: *Southern District of New York*  
Hon. \_\_\_\_\_

J.S.C.

// CIV. 7155 (PKC)  
~~Index No. 652776/11~~

-----X  
R SQUARED GLOBAL, INC.,

Plaintiff,

-against-

SERENDIPITY 3, INC.,

Defendant.  
-----X

ORDER TO  
SHOW CAUSE

UPON the annexed Affidavit of Rowan Siebel, sworn to the 11th day of October, 2011, the Verified Complaint, verified the 10th day of October, 2011 and submitted as affidavit of the facts pursuant to C.P.L.R. 105(u), together with the exhibits annexed thereto, along with Plaintiff's Memorandum of Law in Support dated October 11, 2011, and upon all the prior pleadings and proceedings heretofore had herein;

NOW, on motion of Certilman Balin Adler & Hyman, LLP, attorneys for Plaintiff, R SQUARED GLOBAL, INC.,

LET defendant, SERENDIPITY 3, INC., show cause, on the 24<sup>th</sup> day October, in Courtroom 12C U.S. 500 Pearl Street 2011, a Special Term, Part \_\_\_\_ to be held at the courthouse thereof, located at the courthouse located at 60 Centre Street, Room \_\_\_\_ New York, New York, at 9:30<sup>am</sup> o'clock in the forenoon of that day, or as soon thereafter as counsel can be heard, why

and order should not be made and entered pursuant to CPLR §6311 and §6313 temporarily restraining and enjoining Defendant, its officers, agents, servants and employees from terminating the exclusive license agreement entered into between the parties or taking any action or further steps to terminate, modify or alter the terms of the license agreement; and further

**WHY** the Plaintiff should not have such other and further relief as may be just, proper and equitable.

**SUFFICIENT REASON APPEARING THEREFOR**, it is

**ORDERED**, that Defendant, SERENDIPITY 3, INC., its officers, agents, servants and employees are temporarily restrained and enjoined from terminating the exclusive license agreement entered into between the parties or from taking any action <sup>to</sup> terminate, PKC  
 modify or alter the terms of the license agreement pending the hearing and determination of the issues herein, and it is further

**ORDERED**, that service of this Order To Show Cause with the supporting papers upon which it is based, be made on or before <sup>5 PM</sup> October 12, 2011 by upon Defendant's attorneys, Cowan, Liebowitz & Latman, P.C., 1133 Avenue of the Americas, New York, New York 10036, ~~on or before~~ \_\_\_\_\_ 2011; and that such service be deemed good and sufficient service.

ENTER:



J.S.C.

U.S.D.J.

3:25 PM

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*Briefly on the issue of subject matter jurisdiction as a response to the motion for a preliminary injunction is due October 19, 2011*